

Article - Alcoholic Beverages

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§4–505.

- (a) In this section, “alcohol awareness program” means a program that:
 - (1) includes instruction on how alcohol affects an individual’s behavior and body;
 - (2) provides education on the dangers of drinking and driving; and
 - (3) defines effective methods to:
 - (i) determine whether a customer is under the legal drinking age;
 - (ii) serve customers to minimize the chance of intoxication; and
 - (iii) stop service before a customer becomes intoxicated.
- (b) (1) This section applies to:
 - (i) a licensed premises that sells alcoholic beverages to a customer from a bar or service bar on the premises;
 - (ii) a premises licensed to sell alcoholic beverages for off-premises consumption; and
 - (iii) an unlicensed establishment in a jurisdiction that requires a worker, a supervisor, or an owner of an unlicensed establishment to receive alcohol awareness training.
- (2) This section does not apply to:
 - (i) a temporary license;
 - (ii) a Class E (on-sale) water vessel license;
 - (iii) a Class F (on-sale) railroad license; or
 - (iv) a Class G (on-sale) airplane license.

(c) The Comptroller:

(1) shall approve, certify, and issue an alcohol awareness program permit to each alcohol awareness program that complies with this section; and

(2) may require recertification of the approved alcohol awareness program to ensure compliance with changes in the program.

(d) Before an individual may teach an alcohol awareness program, the individual shall obtain an alcohol awareness instructor's permit.

(e) A holder of any retail alcoholic beverages license or an employee designated by the holder shall complete training in an approved alcohol awareness program.

(f) (1) (i) For each completion of a certified alcohol awareness program, the alcohol awareness program provider shall issue a certificate of completion that is valid for 4 years from the date of issuance.

(ii) The holder or employee shall complete retraining in an approved alcohol awareness program for each successive 4-year period.

(iii) On request, a valid certificate shall be presented to the proper authority.

(2) Within 5 days after a license holder, an owner of an unlicensed establishment, or an employee of a license holder or owner of an unlicensed establishment is sent a certificate of completion, the alcohol awareness program provider shall inform the appropriate local licensing board of:

(i) the individual's name, address, and certification date; and

(ii) the name and address of the licensed establishment or unlicensed establishment.

(g) The Comptroller may decertify the alcohol awareness program of an alcohol awareness program provider who violates subsection (c), (d), or (f) of this section.

(h) (1) Each local licensing board shall enforce this section.

(2) A license holder who violates subsection (e) of this section is subject to:

(i) for the first offense, a \$100 fine; and

(ii) for each subsequent offense, a fine not to exceed \$500 or a suspension or revocation of the license or both.

(i) (1) This section does not create or enlarge a civil cause of action or criminal proceeding against a license holder.

(2) Evidence of a violation of this section:

(i) may only be used as evidence before the local licensing board in an action brought before the local licensing board for a violation of this section; and

(ii) may not be introduced in a civil or criminal proceeding.

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